IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WP(C).No. 13480 of 2007(D)

PETITIONER:

P.NAFEESA, URDU TEACHER,
SENIOR BASIC SCHOOL, PATHIRIPPALA,
P.O.PEROOR.

BY ADV. SRI.P.RAMAKRISHNAN

RESPONDENTS:

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1. THE MANAGER, SENIOR BASIC SCHOOL,
PATHIRIPPALA, P.O.PEROOR.

2. ELIAMMA, ASSISTANT TEACHER,
SENIOR BASIC SCHOOL,
PATHIRIPPALA, P.O.PEROOR.

3. THE DISTRICT EDUCATION OFFICER,
OTTAPPALAM.

BY GOVERNMENT PLEADER SMT.LAKSHMI RANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.13480 OF 2007

Dated this the 30th day of May, 2007

JUDGMENT

Petitioner claims that she is the most eligible teacher to be appointed as Headmistress in the school under the management of respondent No.1. Her grievance is that the Manager is not accepting the reality. He has put respondent No.2 as the teacher in charge after the retirement of the incumbent. He is likely to make an irregular appointment ignoring the claim of the petitioner. Though petitioner submitted Ext.P1 representation before the manager in this regard way back in January 2007, no action has been taken so far. A similar request made to the departmental officer evoked a response from him through Ext.P2 in which the officer advised the petitioner to approach the manager. Even though petitioner approached the manager, thereafter he has not taken any action so far. It is in that circumstance, the petitioner preferred this writ petition.

2. Having heard learned counsel for the petitioner and the learned Government Pleader and having perused the materials

on record, I am satisfied that the writ petition can be disposed of with an appropriate direction to the manager. Learned counsel for the petitioner also submits that the petitioner will be satisfied, if such a direction is issued.

3. In the above facts and circumstances, writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P1 in the light of Ext.P2 strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within two weeks from the date of receipt of a copy of this judgment. Needless to mention that apart from the petitioner, respondent No.2 and other claimants, if any, shall be afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before respondent no.1 for compliance.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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